# UNITED STATES PATENT AND TRADEMARK OFFICE

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| 10/797,648 | 03/10/2004 | Makoto Saitoh | 362-90 | 4193 |

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| EXAMINER |
|---|
| WORKU, NEGUSSIE |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on *10 March 2004*.

2a)☐ This action is **FINAL**.     2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1,7 and 11-14* is/are allowed.

6)☒ Claim(s) *2-6 and 8-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *11/13/06*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

# DETAILED ACTION

1.      This is a replay to the application filed on 03/10/04, in which, claims 1-14 are

pending. Claims 1, 7, 11, 12, 13 and 14 are independent, and claims 2-6, 8-10 are

dependent.

## *Priority*

2.      Acknowledgment is made of applicant's claim for foreign priority under 35

U.S.C. 119(a)-(d).  Receipt is acknowledged of papers submitted under 35

U.S.C. 119(a)-(d), which papers have been placed of record in the file.

## *Information Disclosure Statement*

3.      The information disclosure statement (IDS) submitted on 11/13/06, have been

reviewed.  The submission is in compliance with the provisions of 37 CFR 1.97.

Accordingly, the examiner is considering the information disclosure statement.

## *Claim Rejections - 35 USC § 112*

4.      The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

5.      Claims 2-6 and 8-10, are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

Regarding claims 2-6 and 8-10, it is unclear how the claimed subject matter recited in claims 2-6 and 8-10 are related to claims 1 and 7 (i.e., independent claims) ?, claims 2-6 and 8-10 are not clearly defined if the subject matter of claims [i.e., 2-6, 8-10] is part of the claim 1 and 7.

## *Allowable Subject Matter*

6.      Claims 1, 7, 11, 12, 13 and 14 are allowed.

7.      The following is a statement of reasons for the indication of allowable subject matter:  Claim 1 is allowed for the reasons the prior art searched and of record neither anticipates nor suggests a recorder for recording into a recording medium an image file in which image data is stored; a transferor for transferring at least said image data from said recording medium to an internal memory; and a reproducer for reproducing said image data transferred to said internal memory by said transferor, wherein each address forming said internal memory has a capacity of an L byte (L: integer of two or more), said recording medium is divided into a plurality of unit areas each of which has a capacity of an M byte (M: integral multiple of the L), and said recorder stores said image data into said image file in such a manner that said image data transferred to said internal memory by said transferor is started from a head byte of an address.

Claims 2-6, which are dependent on claim 1, has been rejected under 112 second paragraphs as indicated in the above discussed office action. However, the claims would be allowable when a correction would made, and for being dependent on allowed claim 1.

Claim 7 is allowed for the reasons the prior art searched and of record neither

anticipates nor suggests an image processing apparatus that reproduces via an internal

memory image data included in an image file recorded in a recording medium,

comprising: a detector for detecting a size of specific data existing between a head

location of said image file and a head location of said image data; and a first transferor

for transferring to said internal memory said specific data and said image data in this

order when the size of said specific data satisfies a first condition, wherein each

address forming said internal memory has a capacity of an L byte (L: integer of two or

more), said recording medium is divided into a plurality of unit areas each of which has

a capacity an M byte (M: integral multiple of the L), and said first condition is a condition

that the size of said specific data is an integral multiple of said L byte.

Claims 8-10, which are dependent on claim 7, has been rejected under 112

second paragraphs as indicated in the above discussed office action. However, the

claims would be allowable when a correction would made, and for being dependent on

allowed claim 7.


Claim 11 is allowed for the reasons the prior art searched and of record neither

anticipates nor suggests an image processing apparatus that reproduces via an internal

memory image data included in an image file recorded in a recording medium,

comprising: a detector for detecting a size of specific data existing between a head

position of said image file and a head position of said image data, and a transferor for

transferring to said internal memory only said image data, out of said specific data and

said image data, when the size of said specific data satisfies a predetermined condition,

wherein each address forming said internal memory has a capacity of an L byte (L:

integer of two or more), said recording medium is divided into a plurality of unit areas

each of which has a capacity of an M byte (M: integral multiple of the L), and said

predetermined condition is a condition that the size of said specific data is an integral

multiple of said M byte.

Claim 12 is allowed for the reasons the prior art searched and of record neither

anticipates nor suggests n image processing method, comprising the steps of: (a)

recording into a recording medium an image file in which image data is stored; (b)

transferring at least said image data from said recording medium to an internal memory;

and (c) reproducing said image data transferred to said internal memory by said step

(b), wherein each address forming said internal memory has a capacity of an L byte (L:

integer of two or more), said recording medium is divided into a plurality of unit areas

each of which has a capacity of an M byte (M: integral multiple of the L), and said step

(a) is a step for storing said image data into said image file in such a manner that said

image data transferred to said internal memory by said step (b) is started from a head

byte of said address.

Claims 13 is allowed for the reasons the prior art searched and of record neither

anticipates nor suggests an image processing method for reproducing via an internal

memory image data included in an image file recorded in a recording medium,

comprising the steps of: (a) detecting a size of specific data existing between a head

location of said image file and a head location of said image data; and (b) transferring to

said internal memory said specific data and said image data in this order when the size

of said specific data satisfies a first condition, wherein each address forming said

internal memory has a capacity of an L byte (L: integer of two or more), said recording

medium is divided into a plurality of unit areas each of which has a capacity of an M

byte (M: integral multiple of the L), and said first condition is a condition that the size of

said specific data is an integral multiple of said L byte.


Claim 14 is allowed for the reasons the prior art searched and of record neither

anticipates nor suggests an image processing method for reproducing image data

included in an image file recorded in a recording medium via an internal memory,

comprising the steps of: detecting a size of specific data existing between a head

location of said image file and a head location of said image data; and  transferring to

said internal memory only said image data, out of said specific data and said image

data, when the size of said specific data satisfies a predetermined condition, wherein

each address forming said internal memory has a capacity of an L byte (L: integer of

two or more), said recording medium is divided into a plurality of unit areas each of

which has a capacity an M byte (M: integral multiple of the L), and said predetermined

condition is a condition that the size of said specific data is an integral multiple of said M

byte.

## *Conclusion*

8.    Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472.  The examiner can normally be reached on 9A-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402.  The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.  Status information for published applications may be obtained from either Private PAIR or Public PAIR.  Status information for unpublished applications is available through Private PAIR only.  For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


/Negussie  Worku/
Examiner, Art Unit 2625